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October 6, 2022

The Honorable Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Lin Miao; Case No.: 1:15-cr-00628-AT

Dear Judge Torres:

On May 26, 2015 a sealed Complaint was filed against the defendant, Lin Miao, among others, in the above-entitled matter. Thereafter, he was arrested on May 28, 2015 and released upon posting bond. On September 14, 2015 he waived the filing of an Indictment and entered a plea to a Felony Information. His original sentencing date was set for September 26, 2016. After numerous continuances, to permit the defendant to cooperate with the government and testify against some of his co-defendants, the defendant was ultimately sentenced on July 27, 2022. Prior to that date, on November 9, 2020, after the defendant had been in full compliance with Pretrial Services for 5 years, the Court modified the defendant's bond to remove Pretrial Services supervision.

As part of the defendant's sentencing, the Court ordered restitution and a fine in the amount of \$500,000 and set a surrender date of October 17, 2022.

In 2018, Miao and his wife, Recille, founded Opan Supply (OS). The company buys returned merchandise and resells it on platforms like Ebay. In his Sentencing Brief, defendant indicated that he was working on adding a second location, as well as additional employees to meet the demands for his products. The defendant has now found a second location, located at 395 East Valley Blvd., Colton, California 92324. In order to set up the business before he begins to serve his sentence, defendant needs 90 days from October 17, 2022 to make the

necessary arrangements. This includes purchasing the initial set up equipment, hiring the appropriate personnel, and training a General Manager and an Assistant Manager to takeover while the defendant is in custody. The warehouse that the defendant has found in Colton, California is perfect for his business. The landlord is insisting that the lease terms begin no later than November 1, 2022, otherwise he will lease it to another tenant. The opportunity for the defendant to expand his business is critical to the economic well being of his family, while also promoting his ability to pay the fine and restitution ordered by the Court. The defendant has been fortunate enough to find a third party to invest in the business, (who has been thoroughly briefed by the defendant as to his prior criminal conviction) as long as the defendant is given a period of 90 days to start the business before he has to report for the service of his sentence. It is also extremely important, given the nature of the business, that it be operational before the Christmas season, which is the pivotal time to sell the low cost items involved in the business.

Defendant has informed Assistant U.S. Attorney, Richard Cooper, of the instant request. Mr. Cooper has stated that the government takes no position and leaves it solely to the discretion of the Court.

It is therefore respectfully requested that the Court extend the deadline for the defendant to report to begin the service of his sentence to January 17, 2023, an extension of 90 days from the current date of October 17, 2022. Since the defendant has been on bond for more than seven years, has been free of Pretrial supervision for two years, it is clear that the defendant is neither a danger to the community or a flight risk. The additional 90 days will enable the defendant to have a new business in operation to financially take care of his family while he is in custody and to be a significant business opportunity upon his release from jail.

Yours very truly,



VICTOR SHERMAN

GRANTED.

SO ORDERED.

Dated: October 7, 2022  
New York, New York



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ANALISA TORRES  
United States District Judge